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Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

RUSLAN V. BELKIN,) No. C 07-3428 HRL

Plaintiff,)

v.)

MICHAEL CHERTOFF, Secretary,)
 Department of Homeland Security; EMILIO)
 T. GONZALEZ, Director, Citizenship and)
 Immigration Services; ROSEMARY)
 MELVILLE, District Director; FRANK)
 SICILIANO, Field Office Director;)
 ROBERT S. MUELLER, Director, Federal)
 Bureau of Investigation,)

JOINT REQUEST TO BE EXEMPT FROM
 FORMAL ADR PROCESS

AND ORDER

Defendants.)

Each of the undersigned certifies that he or she has read either the handbook entitled
 "Dispute Resolution Procedures in the Northern District of California," or the specified portions of
 the ADR Unit's Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute
 resolution options provided by the court and private entities, and considered whether this case might
 benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because
 this mandamus action is limited to Plaintiff's request that this Court compel Defendants to
 adjudicate the application for adjustment of status. Given the substance of the action and the lack

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1 of any potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily
2 tax court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be
3 removed from the ADR Multi-Option Program and that they be excused from participating in the
4 ADR phone conference and any further formal ADR process.

5 Dated: September 11, 2007

Respectfully submitted,

6 SCOTT N. SCHOOLS
7 United States Attorney

8 /s/
9 MELANIE L. PROCTOR¹
10 Assistant United States Attorney
11 Attorneys for Defendants


12 Dated: September 11, 2007

13 /s/
14 EDWARD R. LITWIN
15 Attorney for Plaintiff

16 **ORDER**

17 Pursuant to stipulation, IT IS SO ORDERED.

18 Date: September 11, 2007

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20 HOWARD R. LLOYD
21 United States Magistrate Judge

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28 ¹I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any
signatures indicated by a "conformed" signature (/S/) within this efiled document.